

Patent
Customer No.: 006980
Docket No. DINK1

COPY
Previously Submitted
9/8/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
DINKEL, Jeffrey) Group Art Unit: 3637
Serial No.: 09/829,256) Examiner: Phi Dieu Tran A
Filed: 9 April 2001)
For: ASYMMETRICAL CONCRETE)
BACKERBOARD (AND METHOD FOR)
MAKING SAME)

RESPONSE AND AMENDMENT AFTER FINAL REJECTION

MAIL STOP AF

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atlanta, GA 30308-2216
8 August 2003

Sir:

The *Office Action*, marked Final, Paper No. 8, Examiner Phi Dieu Tran A of Art Unit 3637, dated 23 June 2003, has been received and carefully reviewed. In response thereto, Applicant amends Claims to better clarify the patentable distinctions between the cited prior art and the present invention, and respectfully submits that the cited references neither teach nor suggest the present invention.

Applicant further submits that the following amendments place the Application in condition for allowance and/or place the Application in better form for appeal. The amendments *do not* raise new matter issues or raise issues requiring further consideration or searches. It is respectfully requested that the Examiner reconsider the pending *Final Office Action* for the following reasons and remarks.

PTO/SB/97 (08-03)

Approved for use through 07/31/2003. OMB 0651-0031
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Applicant: DINKEL, JeffreyGroup Art Unit: 3637Serial No.: 09/829,256Examiner: Phi Dieu Tran, A.Filing Date: 9 April 2001Docket No.: DINK1Title: ASYMMETRICAL CONCRETE BACKERBOARD AND METHOD FOR
MAKING SAME

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FEE TRANSMITTAL for FY 2003

Effective 01/01/03, patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$375.00)

Complete if Known

Application Number	09/829,256
Filing Date	9 April 2001
First Named Inventor	DINKEL, Jeffrey
Examiner Name	Pui Dicu Tran, A.
Art Unit	3637
Attorney Docket No	DINKI

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number **20-1507**

Deposit Account Name **TROUTMAN SANDERS LLP**

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

I. BASIC FILING FEE

Large Entity Fee	Small Entity Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from Fee Paid below

Total Claims	- 20** =	X	=	
Independent Claims	- 3** =	X	=	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR after Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unexcusable	
1501 1,300	2501 650	Utility issue fee (or Reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	375
1803 900	1803 900	Request for expedited examination of a design application	
Other fee (specify)			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			375.00

** or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Ryan A. Schneider	Registration No. (Attorney/Agent)	45,083	Telephone	404-885-2773
Signature		Date	4 September 2003		

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